

## Technical Assistance – Employee Status

Prepared by the Division of Human Resources in the Department of Personnel & Administration. Revised July 2005.

### GENERAL

The purpose of this technical assistance is to address topics regarding employee status. The rules around these topics are generally found in Chapter 4. Remember, the term “department” has the same meaning found in rule, specifically, principal department or higher education institution.

### EMPLOYEE STATUS

**Probationary** status refers to the period of time between initial appointment and certification to a particular class. This status applies to all new employees to the state system, and at the discretion of the appointing authority, any reinstated former employees. The probationary period is intended to give the appointing authority a period of up to 12 months from the date of permanent hire to observe the employee’s performance. If a probationary employee is at work continuously, the probationary period cannot be extended beyond one year. The probationary period may be extended for periods of paid leave, leave without pay, or short-term disability leave.

During this period, employees may transfer if approved by the appointing authority and may also be promoted to another class. In either case, the probationary period is continued from the date of the initial appointment. In other words, the remaining time on probation carries over to the new position when an employee transfers. If a probationary employee is promoted and the appointing authority elects to certify the employee in the lower class prior to promotion, the employee is granted trial service status. If the appointing authority elects not to certify the employee prior to promotion, the promoted employee is continued in probationary status in the new class for the remainder of the 12-month probationary period. For example, a probationary Administrative Assistant II who promotes after completing 10 months of the probationary period without being certified will remain in probationary status for only an additional two months before becoming certified in the new Administrative Assistant III class.

Managers may want to certify a probationary employee in the lower class before promotion if a short time remains in the probationary period. In this situation, early certification often makes sense because it allows a manager to place an employee in trial service status for up to six months in the new higher class.

Probationary employees who resign or are laid off while in probationary status cannot be granted certified status retroactively. Thus, the question of granting certified status should be raised and, if approved, granted before the effective date of resignation or layoff.

For information concerning discipline of probationary employees, please refer to the technical assistance, *Corrective and Disciplinary Actions*, available on the web.

**Trial Service** status refers to the period of time between appointment and certification to a particular class for current employees that promote or reinstate. The trial service status is intended to give the appointing authority a period of up to six months from the date of appointment to observe the employee's performance.

Trial service employees who resign are not eligible to reinstate to the trial service class. The privilege of reinstatement applies only to classes in which certified.

**Certified status** refers to employees who successfully completed a probationary or trial service period. Certified employees who transfer may be required to complete a trial service period in the new position.

Every attempt is made to keep this information updated. For more information, refer to the *State Personnel Board Rules and Director's Administrative Procedures* or contact your department human resources office. Subsequent revisions to rule or law could cause conflicts in this information. In such a situation, the law and rule are the official source upon which to base a ruling or interpretation. This document is a guide, not a contract or legal advice.

**TECHNICAL ASSISTANCE  
DHR APPROVAL FOR PUBLICATION**

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